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December 9, 2020

BY ECF

Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

Re: *American Empire Surplus Lines Insurance Company v. Solubon Ltd.*
Case No. : 20-cv-06629 - PGG

Dear Judge Gardephe:

We represent plaintiff American Empire Surplus Lines Insurance Company ("American Empire") in the referenced matter. This is written to respectfully request a one-week adjournment of the telephone hearing on the Order to Show Cause, for American Empire's default motion against defendant Solubon Ltd. ("Solubon"), which is scheduled to be held tomorrow, December 10, 2020 at 10 a.m. The reason for this last-minute request is that this afternoon we were contacted by Solubon in an attempt to resolve this case, and are working to accomplish settlement.

At the previous hearing on the default motion, Solubon's insurance broker called in on Solubon's behalf, and advised that Solubon wished to resolve this matter. Your Honor adjourned the hearing until December 10, 2020, to allow time for resolution, and advised that if Solubon wished to participate in further Court proceedings it must do so by counsel. We heard nothing further on this matter until this morning, when Solubon's broker called to advise us that Solubon was ready to resolve the case, and they would be in touch concerning an attempt at settlement.

This afternoon, we finally heard from Solubon's principal Miguel Soto. Mr. Soto told us that Solubon has made a wire transfer for part of the amount owed to American Empire's bank account, and he also e-mailed a copy of a Confession of Judgment which he said he was sending

MEMO ENDORSED:
The Application is granted. The conference scheduled for December 10, 2020 is adjourned to **December 17, 2020 at 9:15 a.m.** The parties are directed to file a joint letter by December 16, 2020 reporting on the status of their settlement discussions.

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe", written over a horizontal line.

Paul G. Gardephe
United States District Judge

Dated: December 10, 2020

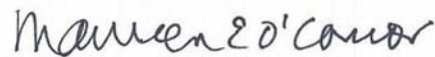
to us by overnight mail. We await confirmation from American Empire that the wire transfer has in fact been made, as well as awaiting receipt of the original fully executed Confession of Judgment. Once these have been received we anticipate that we will be able to withdraw our default motion and voluntarily dismiss this action without prejudice.

Based upon this, we respectfully request that American Empire's default motion be adjourned for one week, to allow for the settlement to be confirmed and documented.

We thank the Court for its consideration of this request.

Respectfully Submitted,

L'ABBATE, BALKAN, COLAVITA
& CONTINI, L.L.P.

A handwritten signature in cursive script, reading "Maureen E. O'Connor", is displayed within a light gray rectangular border.

MAUREEN E. O'CONNOR

MEO/hs